

Adelanto, CA

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

S.E. CLEMONS INC.

Employer

and

Case 31-RC-108048

SHEET METAL, AIR, RAIL,
TRANSPORTATION WORKERS,
LOCAL UNION 105, AFL-CIO

Petitioner/Union

DECISION AND DIRECTION

The National Labor Relations Board has considered challenged ballots in an election held November 8, 2013, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 3 ballots cast for and 3 ballots cast against the Petitioner, with 4 challenged ballots, a sufficient number to affect the results.

No exceptions have been filed to the hearing officer's report within the time provided. Accordingly, the Board adopts the hearing officer's findings and recommendations.¹

¹ The Board agent conducting the election challenged the ballots of Casey Holmes, Dylan Patrick McIndoo, James Wilcox, and Dale Eugene Brink because their names were not on the *Excelsior* list. The Hearing Officer recommended that the challenges to the ballots of Casey Holmes and Dylan Patrick McIndoo be overruled, and the challenges to the ballots of James Wilcox and Dale Eugene

DIRECTION

IT IS DIRECTED that the Regional Director for Region 31 shall, within 14 days of this direction, open and count the ballots of Casey Holmes and Dylan Patrick McIndoo, and thereafter prepare and serve on the parties a revised tally of ballots, and issue the appropriate certification.

Dated, Washington, D.C., February 27, 2014.

By direction of the Board:

/s/Roxanne L. Rothschild

Associate Executive Secretary

Brink be sustained. The Hearing Officer further recommended that the ballots of Casey Holmes and Dylan Patrick McIndoo be opened and counted, and that a revised Tally of Ballots and appropriate certification be issued.